

EXHIBIT 85

Page 1

1

2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4 Civil Action No.: 1:21-cv-05316-DG-TAM
-----x

5 MARVEL CHARACTERS, INC.,
6 Plaintiff,
7 - against -
8 NANCI SOLO and ERIK COLAN,
9 Defendant.
-----x

10 NANCI SOLO and ERIK COLAN,
11 Counterclaimant,
12 - against -
13 MARVEL CHARACTERS, INC. and DOES 1-10
14 inclusive,
15 Counterclaim-Defendants.
-----x

16 October 28, 2022
17 8:11 a.m.

18 VIDEOTAPED DEPOSITION of NANCI SOLO,
19 pursuant to Federal Rule of Civil Procedure
20 30, held at the offices of O'Melveny &
21 Myers LLP, located at 7 Times Square, New
22 York, New York 10036, before Anthony
23 Giarro, a Registered Professional Reporter,
24 a Certified Realtime Reporter and a Notary
25 Public of the State of New York.

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2 A P P E A R A N C E S :

3

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17

BY: MARC TOBEROFF, ESQ.
JAYMIE PARKKINEN, ESQ.
(via Zoom)

19

20

21 ALSO PRESENT:

22

MARCELO RIVERA, Videographer
ELI BARD, Marvel
(via Zoom)

23

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S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED,
by and among counsel for the respective
parties hereto, that the filing, sealing
and certification of the within deposition
shall be and the same are hereby waived;

9 IT IS FURTHER STIPULATED AND AGREED
10 that all objections, except as to form of
11 the question, shall be reserved to the time
12 of the trial;

13 IT IS FURTHER STIPULATED AND AGREED
14 that the within deposition may be signed
15 before any Notary Public with the same
16 force and effect as if signed and sworn to
17 before the Court.

* * *

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9 MR. TOBEROFF: Compound.

10 A I don't know.

11 Q Have you ever spoken with
12 Larry Lieber?

13 A No.

14 Q Do you know who he is?

15 A I don't know, no.

16 Q Have you ever spoken to
17 Steve Ditko?

18 A № .

19 Q Do you know who he is?

A I've heard that name.

21 Q Other than hearing the name,
22 do you know who he is?

23 A № .

Q **Have you ever spoken to**
anyone in the British family like Bob?

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1 NANCI SOLO

2 or Mark Ditko?

3 A Not that I'm aware of, no.

4 Q And how about Don Rico? Do
5 you know who he is?

6 A No.

7 Q Have you ever spoken to
8 Michelle Hart-Rico or Buz Rico?

9 A No.

10 Q How about Don Heck? Do you
11 know who he is?

12 A I've heard that name. I
13 don't know who he is.

14 Q Have you spoken or
15 communicated with Keith Dettwiler?

16 A No.

17 Q Do you know who that is?

18 A No.

19 Q And I asked you if you'd
20 ever spoken with any of those
21 individuals, and you said no.

22 Is the same true, that
23 you've never corresponded with them
24 either?

25 A Yes. The same is true. I

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2 I N D E X
34 E X A M I N A T I O N
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6 EXAMINATION FURTHER EXAMINATION

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2 C E R T I F I C A T I O N

3

4

5 I, ANTHONY GIARRO, a Shorthand
6 Reporter and a Notary Public, do hereby
7 certify that the foregoing witness, NANCY
8 SOLO, was duly sworn on the date indicated,
9 and that the foregoing, to the best of my
10 ability, is a true and accurate
11 transcription of my stenographic notes.

12 I further certify that I am not
13 employed by nor related to any party to
14 this action.

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ANTHONY GIARRO

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